

**REMARKS**

Favorable reconsideration of this patent application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-31 have been subjected to an election of species requirement between the species disclosed within **FIGURES 5-7**. Claims 1-31 remain active in this patent application.

In response to the outstanding office action wherein the examiner has required an election of species, Applicants hereby elect the species of **FIGURE 7**.


In connection with the elected species, it is respectfully submitted that Claims 1-3, 5, 7, and 9-31 are generic, and that Claim 8 is specific to the elected species of **FIGURE 7**. The characterization by the Examiner that no gener-

ic claims exist is respectfully disputed. For example, Claim 1 merely recites that the fastener comprises a shank portion, a head portion, and dual drive means integrally formed upon the head portion. Clearly, all three embodiments or species as disclosed, for example, within **FIGURES 5-7**, comprise a shank portion, a head portion, and the dual drive means. Therefore, it is respectfully submitted that Claim 1 is in fact generic. Similar arguments are submitted to be apparent in connection with Claim 11 wherein the tool comprises a socket member for accommodating the head portion of a fastener, and drive means for engaging drive means defined upon the head portion of the fastener. Still further, Claim 19 is likewise submitted to be generic in that the claim recites the combination of a threaded fastener and a drive tool, wherein the threaded fastener has dual drive means defined thereon, and the tool has drive means for drivingly engaging at least one of the dual drive means defined upon the fastener. Lastly, Claims 25 and 29 are directed toward the thread structure upon the threaded fastener which can of course be implemented in connection with any one of the fasteners as disclosed within **FIGURES 5-7**. Therefore, again, Claims 25 and 29 are also respectfully submitted to be generic.

In light of the foregoing, it is submitted that this patent application is now in condition for examination on the merits, and therefore, an early and favorable action is now anticipated and awaited.

It is lastly noted that this response is being filed within a period of one month beyond the normal response due date, and therefore, the Office is authorized to charge Deposit Account 23-0818 in the amount of \$120.00 for a one (1) month extension of time fee in connection with a one (1) month extension of time which is hereby respectfully requested.

Respectfully Submitted,  
**SCHWARTZ & WEINRIEB**



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